

Overview

Storm Water runoff from construction activities can have a significant impact on water quality. As storm water flows over a construction site, it picks up pollutants like sediment, debris, and chemicals. Polluted storm water runoff can harm or kill fish and other wildlife. Sedimentation can destroy aquatic habitat and high volumes of runoff can cause stream bank erosion.

The Louisiana Pollutant Discharge Elimination System (LPDES) Storm Water program requires operators of construction sites one acre or larger (including smaller sites that are part of a larger common plan of development) to obtain authorization to discharge storm water under an LPDES construction storm water permit.

Do I need a permit?

All construction activity that disturbs 1 or more acres of land, as well as activity that disturbs less than 1 acre but is part of a larger common plan of development, must obtain permit coverage.

Examples:

- A developer develops 20 acres of land and you purchase one lot that is less than one acre. You need to obtain a permit as if you were constructing on five acres or more.
- A developer develops 4 acres of land and you purchase one lot that is less than one acre. You need to obtain a permit as if you were constructing on one to five acres.
- A landowner owns 10 acres of land and wants to build a house. No permit would be required as long as you do not disturb one acre or more.

**Louisiana Department of Environmental Quality (DEQ)
Storm Water General Permits for Construction Activities**

LPDES Storm Water General Permits & Requirements

LAR200000-Small Construction Activities equal to or greater than 1 acre and less than 5 acres

- Automatic Coverage—All dischargers who meet the Part I.A applicability requirements of the permit are authorized to discharge storm water from construction activities under the terms and conditions of this permit. Written notification of intent (NOI) to be covered under this general permit is not required, and there are no permit fees associated with this permit.
- Storm Water Pollution Prevention Plan (SWPPP)- An SWPPP must be developed for each construction project or site covered by this permit and implemented upon commencement of construction activities. Once the plan is in place, you are required to update and change the plan as the situation changes. Part III of the general permit describes the contents and requirements of the plan. One of the requirements is posting a notice near the main entrance of the construction site with the location of the SWPPP if the site is inactive or does not have an on-site location to store the plan. If posting this information near a main entrance is infeasible due to safety concerns, the notice shall be posted in a local public building.
- Project Completion Report– When a construction project is complete and the site has been stabilized in accordance with the permit, you are required to submit a completed Project Completion Report to DEQ by January 28th of the year following the calendar year in which the project was completed. A copy of the completed form shall also be submitted to the appropriate Regional Office by the same date.

LAR100000-Construction Activities equal to or greater than 5 acres

- Obtaining Coverage—A discharger must meet the Part I.A applicability requirements, develop an SWPPP, and submit a correct and accurate NOI. When operational control over plans and specifications, and control over the day-to-day activities are held by separate parties, both shall submit the NOI. The cost is \$264 per year for coverage, and you will be billed.
- SWPPP-An SWPPP must be developed for each construction project or site covered by this permit prior to the submittal of an NOI and implemented upon commencement of construction activities. Once the plan is in place, you are required to update and change the plan as the situation changes. Part IV of the general permit describes the contents and requirements of the plan. One of the requirements is posting a notice near the main entrance of the construction site with the location of the SWPPP if the site is inactive or does not have an on-site location to store the plan. If posting this information near a main entrance is infeasible due to safety concerns, the notice shall be posted in a local public building.
- NOI– Dischargers who submit a correct and accurate NOI in accordance with the requirements of this permit are authorized to discharge storm water from construction activities under the terms and conditions of the permit upon receipt of a hand-delivered NOI by DEQ’s Permit Division or 48 hours after the postmark date on the envelope that contains the NOI. Read through the NOI and make sure you include all required information: Latitude/Longitude of location, names of closest receiving water bodies, historical determination, and endangered species review and listing. Remember that you are certifying that an SWPPP has been prepared.
- Notice of Termination (NOT) - An NOT must be submitted within thirty (30) days after final stabilization has been achieved on all portions of the site for which the permittee is responsible. Final stabilization generally means that the soil disturbing activities have been completed and 70% density cover (or equivalent) for the unpaved areas has been established.

Other Regulations That May Apply (not an all inclusive list)

- LAC 33:III.1305—If you cause earth material to become deposited on paved streets either by trucking, earth moving equipment, erosion by water, or other means, you shall promptly remove the earth material.
- LAC 33:III.1109—You cannot burn waste building materials, 2x4s, etc. They must be disposed of as a solid waste. Burning of trees, brush, etc. that were cut on site is permitted only under certain conditions.
- LAC 33:I.Chapter 8—In an expedited penalty agreement, a maximum of \$500.00 per occurrence up to \$3,000.00 can be assessed for the failure to prepare and/or implement any portion of a SWPPP.

Resources

Copies of General Permits, NOIs, & NOTs—<http://www.deq.louisiana.gov/>

- ⇒ Choose Info About
- ⇒ Click on Water
- ⇒ Scroll down to Permits
- ⇒ Click on LPDES Program Page & choose
 - LPDES General Permits or
 - LPDES Permit Application Forms or
 - LPDES Permit Termination Forms

Other Information

Pollution Prevention Plan. “Developing Your Storm Water Pollution Prevention Plan”, EPA 833-R-060-04 (Jan. 2007): <http://cfpub.epa.gov/npdes/stormwater/swppp.cfm>

Maps on line: The EPA has a website where one can enter an address-TRI Facility Siting Tool web address: http://www.epa.gov/tri/report/siting_tool/index.htm

Assistance: Construction Industry Compliance Assistance Center: <http://www.cicacenter.org>

LDEQ Small Business/Small Community Assistance Program: 1-800-259-2890 sbap@la.gov